

CHIU BUT YUE

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 3281]

The Committee on the Judiciary, to which was referred the bill (S. 3281) for the relief of Chiu But Yue having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to provide for the admission into the United States as a nonquota immigrant of a minor Chinese child of a United States citizen father.

STATEMENT OF FACTS

The beneficiary of the bill is a minor Chinese child presently in Hong Kong with his grandmother. The child's father is now deceased and was a citizen of the United States. The grandmother's return to the United States has been authorized but she is reluctant to return to this country without bringing the child with her.

Mr. Courtney Pace, administrative assistant to Senator James O. Eastland, has submitted to the Senate Committee on the Judiciary the following statement in support of the bill:

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
June 23, 1952.

Re Chiu But Yue.

The bill for the relief of Chiu But Yue is to permit the entrance of the minor child of a United States citizen father, who is entitled to administrative relief but because of conditions existing in China and the deaths of people who knew the facts, it is deemed that this bill is the proper method of procedure.

I am administrative assistant to Senator James O. Eastland. The minor child is the grandson of Charles J. Lou, now deceased, who was a resident of Pace, Miss., during his lifetime. I have lived at Pace, Miss., all my life. I knew

Charles J. Lou and the Lou family since 1908. Charles J. Lou was a merchant in the town of Pace, Miss., for 40 years prior to his death. He was a prosperous merchant. Since Pace, Miss., was only a very small settlement at the time Lou came to Pace, I grew to know the Lou family intimately and well. Charles J. Lou was born in San Francisco. He voted in elections in the Pace precinct, Bolivar County, Miss., in the Democratic primaries ever since I can recollect. He had a son, K. C. Lou, who was my same age who was born in China but who was brought to Pace, Miss., by his father when he was 7 years old.

K. C. Lou is the natural father of Chiu But Yue, a child who was born in China. K. C. Lou had another son who was killed in an air raid at Canton on a school house during the Japanese invasion of China. K. C. Lou died of an appendicitis operation in the early 1940's. His father, Charles J. Lou, died from a paralytic stroke shortly thereafter. Charles J. Lou's wife and K. C. Lou's mother sold the business about 1945 and intended to settle with friends in Oakland, Calif. She returned to China on a visit after the mercantile establishment was sold but was caught by the upheaval in China. She is now living in Hong Kong.

The American consul in Hong Kong has investigated the case and has determined that Mrs. Lou is entitled to return to the United States because she overstayed her leave because of conditions beyond her control. This matter has already been passed on by the American Consul. Mrs. Lou does not want to return to the United States without bringing her grandson with her.

The proof of the citizenship of the minor child herein, because of the deaths of the parents and the absence of Mrs. Lou, who does not speak English and who is illiterate by American standards, is in Hong Kong. Therefore, because of the impossibility under peculiar circumstances of proving the citizenship of this minor child, this bill has been introduced. There is no doubt whatever of the citizenship of this child.

COURTNEY C. PACE,
Administrative Assistant to Senator James O. Eastland.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 3281) should be enacted.

